

## San Francisco Police Department

## INCIDENT REPORT

180593688

Report Type: Initial

I N C I D E N T	Incident Number 180-593-688	Occurrence From Date / Time 08/08/2018 17:05	Occurrence To Date / Time	Reported Date / Time 08/08/2018 17:13	CAD Number 182202937				
	Type of incident TRESPASSING 27195 MALICIOUS MISCHIEF, VANDALISM TO PROPERTY 28150 INVESTIGATIVE DETENTION 64085								
	Location of Occurrence: [REDACTED]		At Intersection with/Premise Type RELIGIOUS PREMISES		District RICHMOND				
	Confidential Report? <input type="checkbox"/>	Arrest Made? <input type="checkbox"/>	Suspect Known? <input checked="" type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>	Domestic Violence? <input type="checkbox"/>	Use of Force? <input type="checkbox"/>	Reporting Unit 3G2D	
	Location Sent / On View: [REDACTED]		At Intersection with		Reporting District RICHMOND				
Crime and Clearance Status 0		Reported to Bureau	Name	Star	Date/ Time	Elder Victim <input type="checkbox"/>	Gang Related? <input type="checkbox"/>	Juvenile Subject? <input type="checkbox"/>	Prejudice Based? <input type="checkbox"/>
Have you reviewed the attached list of procedures required by Department General Order (DGO) 7.04?									

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O F F I C I A R I A T I O N	I declare under penalty of perjury, this report of 5 pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved. PROP 115 CERTIFIED 5 Year/Post										
	Reporting Officer GUESS, JAN M			Star 172	Station Richmond Station		Watch 1500-0100		Date 08/08/18 21:55		
	Reviewing Officer LEUNG, ERIK K			Star 1881	Station Richmond Station		Watch 2100-0700		Date 08/08/18 22:31		
	OIC PASQUINZO, KEITH F			Star 1199	Station Richmond Station		Watch 1500-0100		Date 08/08/18 22:58		
	Related Case --		Related Case --		Re-assigned to Copies to 3*300			Assigned to 3*300 Add'l Copies SID			Assigned by JG 172

R / 1 V I C T I M	Code R/V 1	Name (Last, First Middle) [REDACTED]				Alias				Email [REDACTED]			
	Day Phone [REDACTED]		Type Cell	Home Address [REDACTED]				City RICHMOND		State CA	Zip Code 94805-		
	Night Phone [REDACTED]		Type Cell	Work Address				City		State	Zip Code		
	DOB [REDACTED]	/ Age 37	DOB Unk. <input type="checkbox"/>	or age between and		Race W	Sex M	Height 6'3	Weight 220	Hair Color BRO	Eye Color BRO	ID Type	Jurisd. ID No.
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star		Follow-up Form YES <input checked="" type="checkbox"/>		Statement YES <input checked="" type="checkbox"/>		Relationship to Subject STRANGER/NONE	
	School (if Juvenile)			Injury/Treatment NONE				Other Information/If Interpreter Needed Specify Language SECURITY FOR (V) [REDACTED]					
	Interpreter Needed <input type="checkbox"/>	Language		Language Description(if Other)				Language Line Service/Interpreter ID#		Bilingual Ofc Star#			

R / 1 W I T N E S S	Code R/W 1	Name (Last, First Middle) [REDACTED]				Alias				Email NONE			
	Day Phone [REDACTED]		Type Work	Home Address [REDACTED]				City SAN FRANCISCO		State CA	Zip Code 94111-		
	Night Phone		Type	Work Address [REDACTED]				City SAN FRANCISCO		State CA	Zip Code 94118-		
	DOB [REDACTED]	/ Age 65	DOB Unk. <input type="checkbox"/>	or age between and		Race W	Sex F	Height 5'6	Weight 127	Hair Color BRO	Eye Color BRO	ID Type	Jurisd. ID No.
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star		Follow-up Form YES <input type="checkbox"/>		Statement YES <input checked="" type="checkbox"/>		Relationship to Subject STRANGER/NONE	
	School (if Juvenile)			Injury/Treatment				Other Information/If Interpreter Needed Specify Language DIRECTOR OF MEMBER SERVICES [REDACTED]					
	Interpreter Needed <input type="checkbox"/>	Language		Language Description(if Other)				Language Line Service/Interpreter ID#		Bilingual Ofc Star#			

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D E T A I N E D	Code D 1	Name (Last, First Middle) [REDACTED]				Alias				Email Refused			
	Day Phone (000) 000-0000		Type Refused		Home Address [REDACTED]			City SAN FRANCISCO			State CA		Zip Code -
	Night Phone (000) 000-0000		Type Refused		Work Address			City			State		Zip Code
	DOB Unknown <input type="checkbox"/>	Date of Birth [REDACTED]	Age 42	or age between and		Race W	Sex M	Height 5'10	Weight 150	Hair Color BRO		Eye Color UNK	
	SFNO	J/D# (if Juvi)		ID Type/Jurisdiction/Number [REDACTED]			ID Type/Jurisdiction/Number			ID Type/Jurisdiction/Number			
	Booking Charge(s)							Booking Location					
	Warrant #		Court#		Action#		Dept#		Enroute to				
	Warrant Violation(s)								Bail (\$)				
	Citation#		Violation(s)				Appear Date/time		Location of Appearance				
	<input type="checkbox"/> CA Form Booked Copy Attached		Mirandized: Star <input type="checkbox"/>		Date Time		CWB Check		Star				
Book/Cite Approval		Star	Mass Arrest Code		M X-Rays <input type="checkbox"/>		School (if Juvenile)			Statement <input type="checkbox"/>			
Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos LSW: BLUE "CAL" BASEBALL CAP, DARK BLUE LONGSLEEVE, LIGHT BLUE UNDER SHIRT, BLACK PANTS. NFD.													
Interpreter Needed <input type="checkbox"/>	Language		Language Description(if Other)			Language Line Service/Interpreter ID#			Bilingual Ofc Star#				

P R O P E R T Y	Code/No EVD 1	Item Description 849B FORM				Brand		Model	
	Serial No.		Gun Make	Caliber	Color	Narcotics Lab No.		Quantity 1	Value TBD
	Seized by (Star) 172		From Where ONSCENE						
	Additional Description/Identifying Numbers 1 849b PC Certificate of Release form, releasing (D1) Spears from the scene.								

P R O P E R T Y	Code/No EVD 2	Item Description COMPACT DISC				Brand		Model	
	Serial No.		Gun Make	Caliber	Color	Narcotics Lab No.		Quantity 1	Value TBD
	Seized by (Star) 1173		From Where CO. G						
	Additional Description/Identifying Numbers 6 photos of (D1) [REDACTED] as well as (RV1) [REDACTED] left wrist where (DAM) watch was ripped off by (D1) [REDACTED]. Photos Burned on to CD and booked at Richmond Station as evidence.								

P R O P E R T Y	Code/No DMG 1	Item Description WATCH				Brand TAG HEUER		Model	
	Serial No.		Gun Make	Caliber	Color YEL	Narcotics Lab No.		Quantity 1	Value \$1,500.00 Total
	Seized by (Star)		From Where						
	Additional Description/Identifying Numbers Watch that was damaged by (D1) [REDACTED] they was on (RV1) [REDACTED] left wrist. Damaged wrist band recovered by Ofc. Cubas #274 from (D1) [REDACTED] backpack.								

PROPERTY	BWC 1	Code/No				Item Description				Brand		Model	
		BWC 1				BODY WORN CAMERA FOOTAGE				TASER		AXON	
		Serial No.			Gun Make		Caliber	Color	Narcotics Lab No.		Quantity	Value	
											1		
Seized by (Star)				From Where									
Additional Description/Identifying Numbers													
172,1173,940,377,1421,274,2438,1431													

## NARRATIVE

On 08/08/2018 at approximately 1705 hours, I was dispatched to [REDACTED] regarding a silent hold-up alarm [REDACTED]. This call for service was later found to be the same call for service as CAD [REDACTED] regarding a trespass and battery. Upon my arrival, I met with the victim, identified as (R/V1) [REDACTED]. [REDACTED] is a member of security at the temple. [REDACTED] told me the following:

[REDACTED] and another member of security observed a male, later identified via his U.S. Passport as (D1) [REDACTED] in the courtyard of the temple. [REDACTED] told me that [REDACTED] gained entry to the courtyard by following another member past the secured gate. The Temple is not open to the public and a person must pass through a security gate with metal detector prior to making entry.

[REDACTED] stated that the male, once in the courtyard, was asking members if they were "Jews" and making the members feel uncomfortable. He was also asking if "Gentiles" were permitted in the Temple.

[REDACTED] stated that he and another security member asked [REDACTED] to leave several times and [REDACTED] told them that it was public and that he refused to leave and wanted to take pictures. [REDACTED] began calling the other security member, who was African American, a "Nigger" and causing a disturbance in the church. [REDACTED] and the other security team member attempted to escort [REDACTED] off of the property, however, [REDACTED] was not compliant and refusing to walk to the exit on his own. During that time, (R/W1) [REDACTED] the director of member services for the temple, activated her silent hold-up alarm to alert the police.

[REDACTED] and security were grabbing both of [REDACTED] arms and walking him toward the front entrance despite [REDACTED] trying to push back and prevent security from walking him to the gate. During the process of physically moving [REDACTED] off of the property, [REDACTED] (DMG1) Tag Heuer watch was grabbed by [REDACTED] causing the band to break off of his watch. [REDACTED] was able to recover a portion of his watch from [REDACTED], however, parts of the band were missing. I discovered the remaining piece of [REDACTED] watch hanging out of [REDACTED]. I asked [REDACTED] if it was his watchband and he told me that I would, "have to ask him" referring to [REDACTED]. I would note that [REDACTED] refused to pursue criminal charges against [REDACTED] as a result of this damage.

[REDACTED] and other security members were able to get [REDACTED] off of the property and [REDACTED] was seated at the front entrance of the Temple upon our arrival.

[REDACTED] told me that she did not see the initial incident, but saw [REDACTED] and security members trying to push [REDACTED] off of the property; [REDACTED] was still combative and refusing to leave.

I next spoke with [REDACTED]. [REDACTED] had blood on his hands; it is uncertain how [REDACTED] got the blood on his hands. Officer Castellanos #1173 had already called for an ambulance and AMR [REDACTED] and Engine [REDACTED] responded. [REDACTED] refused transport and was uncooperative with medics. [REDACTED] did not sustain any major visible injuries.

[REDACTED] stated that he entered the church and was told that he couldn't be there by security. [REDACTED] stated that the church was public and that he has a first amendment right to be there. [REDACTED] stated that the security guards then "choked" him and forced him out of the facility. [REDACTED] admitted that he stayed in the temple after being asked to leave by an agent of the temple, but stated that he had a right to be there because it was public and he had a first amendment right. [REDACTED] was very argumentative and his thought process was nonsensical at times. [REDACTED] stated that rich people have rights and that homeless people do not while also often making references to Jesus.

I viewed the security footage that the temple had noting that the footage was choppy and not the highest quality. The footage does not capture the incident in its entirety, but you can see [REDACTED] approaching members and the members' negative reaction to being approached by [REDACTED]. You can also see [REDACTED] and another security guard pushing [REDACTED] toward the entrance of the temple. I did not observe, in the video, security choking or strangling [REDACTED], although much of the incident is off-camera. I was unable to obtain a copy of the footage and security advised that I would have to make contact with the security director during regular office hours.

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I photographed [REDACTED] and Officer Castellanos photographed [REDACTED] and his wrist/watch.

[REDACTED] insisted on filing a citizen's arrest against [REDACTED] and [REDACTED] despite [REDACTED] not being present at the time of the incident. Due to the fact that I do not believe that [REDACTED]' claims were substantiated based on the evidence, I did not cite either party that [REDACTED] mentioned, but told him that I would write a report and provided him with a follow-up form and a (E1) SFPD 849(b) form. [REDACTED] was released per 849(b) PC.

Officer Castellanos provided [REDACTED] with a follow-up form, victim of violent crimes form, and Marsy's Card.

Officer Castellanos burned all of the (E2) photographs onto a compact disc and booked it with the SFPD 849(b) form into evidence at Richmond Station. A copy of the photographs and 849(b) were attached to this report.

Several officers including myself had our (BWC1) body-worn cameras activated for the duration of this call and that footage was uploaded to evidence.com.